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Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Report of the independent eminent experts on the implementation of the Durban Declaration and Programme of Action on their third meeting*

Summary

The independent eminent experts on the implementation of the Durban Declaration and Programme of Action held their third meeting, in Geneva, on 4 February 2014. The present report is submitted pursuant to Human Rights Council resolution 24/26. The report contains a summary of the deliberations of the third meeting.

* Late Submission.

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I. Introduction

1. Since the last meeting of the independent eminent experts in 2005, the follow-up and implementation of the Durban Declaration and Programme of Action has evolved. In 2009, the Durban Review Conference was held in Geneva, and in 2011 the General Assembly held a high-level meeting to commemorate the 10th anniversary of the Durban Declaration and Programme of Action.

2. Throughout the years, the General Assembly and the Human Rights Council adopted several resolutions that include references to the work of the independent eminent experts. In its latest resolution 68/151, entitled "Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",[1] the General Assembly requested the Secretary-General, in the context of the resolution, to revitalize and reactivate the operational activities of the group of independent eminent experts. It also invited the Human Rights Council to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures charged with the mandate and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action.

3. Furthermore, during its twenty-fourth session, from 9 to 27 September 2013, the Human Rights Council adopted resolution 24/26, entitled "From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance". Paragraphs 8, 9 and 10 of the resolution refer to the work of the independent eminent experts. In particular, paragraph 10 requests the independent eminent experts to convene a special meeting to conduct an appraisal of the work undertaken hitherto and the recommendations made in that regard in order to present an update report to this end to the United Nations High Commissioner for Human Rights, the Secretary-General and the Human Rights Council.

4. In view of the aforementioned resolutions, at their third meeting, held privately on 4 February 2014 in Geneva, the experts discussed their previous work and related challenges, mandate and working methods, including suggestions for follow-up actions. Her Excellency Hanna Suchocka and Dr. Edna Maria Santos Roland travelled to Geneva for the meeting; His Royal Highness Prince El Hassan bin Talal of Jordan and Dr. Salim Ahmed Salim were connected through teleconference. However, due to technical problems from the office of His Royal Highness Prince El Hassan bin Talal of Jordan, the participation of His Royal Highness was partly interrupted. The meeting was opened by Mr. Bacre Ndiaye, Director Human Rights Council and Special Procedures Division, and Officer-in-Charge, Research and Right to Development Division.

II. Discussion on the mandate and the working methods

5. The independent eminent experts pointed out that the group is one of the component mechanisms established for the effective implementation of the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference. Its work should be also closely linked to the General Assembly and the Human Rights

[1] United Nations document A/RES/68/151, paras. 15-16.

Council, as well as to other human rights mechanisms, in particular the Committee on the Elimination of Racial Discrimination. The experts noted that they are well placed to provide valuable advice to other stakeholders, including United Nations entities and mechanisms, on various issues related to racism, racial discrimination, xenophobia and related intolerance.

6. It was noted that there is no sufficient clarity with regard to the role and functions of the experts, both individually and as a group, with regard to activities, inputs and advice to other mechanisms and stakeholders, considering that the mandate was included in the Durban Declaration and Programme of Action. It was pointed out that more support and resources are needed to assist the experts to conduct their work in a more efficient manner. Given the opportunity, the group could have contributed to the various reports on racism, racial discrimination, xenophobia and related intolerance submitted to the General Assembly and the Human Rights Council. The group could also have contributed to ongoing discussions on the decade for people of African descent.

7. The experts pointed out that their work was affected by insufficient financial resources and administrative support. They emphasized that a team of professionals from the Office of the United Nations High Commissioner for Human Rights (OHCHR) should be assigned to work with the experts on various assignments, throughout the whole year. Such staff will assist the experts to review and verify sources of information, collect updated data, provide in-depth analysis, determine trends and emerging issues.

8. The experts emphasized the persistent lack of States' political will to implement the Durban Declaration and Programme of Action, which has affected negatively the follow-up process, including the work of the established mechanisms. In this regard, it was suggested to develop a communication strategy that would feature the importance and relevance of the Durban Declaration and Programme of Action. It was highlighted that the Durban Declaration and Programme of Action is a complex and lengthy document, taking into consideration various dimensions and groups of victims, which effective implementation requires a thorough, methodical and systematic approach. The experts said that a proper and efficient monitoring system for assessing the implementation of the Durban Declaration and Programme of Action has not been put in place. Such monitoring will require a lot of substantive and technical work that should include the tailoring of goals for the different regions, based on available data and knowledge on racial and ethnic disparities. They also emphasized that States should commit to implementing the Durban Declaration and Programme of Action and support effectively the work of the follow-up mechanisms.

9. The experts stated that the concepts of the International Decade for People of African Descent should be "unfolded" in a clear, easy and de-codified plan that can be understood by all stakeholders, including governments, human rights mechanisms, civil society organizations, academia etc. In this context, the Millennium Development Goals were given as a good example, in terms of clarity and States' obligations.

10. With regard to the membership of the group, the experts pointed out that there has not been an expert from the Western European and Others Group (WEOG) since the resignation, in 2006, of the former member of the group Mr. Martti Oiva Kalevi Ahtisaari, former President of Finland. They emphasized that he should be replaced urgently. To this end, the experts invited the United Nations Secretary-General to nominate the United Nations High Commissioner for Human Rights to arrange for the replacement of the resigned WEOG's representative, as a matter of priority. Dr. Salim Ahmed Salim regretted the inability of the experts to meet since 2005, urged a renewal of membership and emphasized the need for more targeted and time-linked meeting schedule. He also alluded to his withdrawal from the group to allow for the appointment of someone able to devote the time required for the work.

11. With regard to topics, on which the experts should focus in their future work, taking into consideration their knowledge of the respective regions, the experts agreed to review their previous report, issued in 2005,[2] in order to update the list of topics. It was stated that the role of education is still a very important one. The experts suggested also taking into consideration issues related to nationalism, xenophobia, incarcerated people, trafficking in persons and racial equality index.

12. The experts agreed to submit information on individually undertaken activities and new developments in their regions that had taken place since their last report in 2005, which will be compiled and circulated by OHCHR. Such inputs will also include proposals for topics, on which the experts will agree to work, individually and as a group, over a certain period of time.

13. Regarding the mandate of the group, the experts emphasized that it should be reviewed comprehensively and amended, in light of what could be realistically achieved over a certain period of time, taking also into consideration available financial resources and secretariat support from OHCHR. The review will be undertaken without prejudice to the roles of the group in mobilizing political support for issues pertaining to racism, racial discrimination, xenophobia and related intolerance in their respective regions; alerting other stakeholders, at the highest level, of new threats and challenges; establishing and promoting new partnerships; working more closely with the General Assembly, Human Rights Council and other human rights mechanisms; and issuing joint statements with other high level dignitaries and experts.

14. The experts agreed to elaborate and adopt clear and concise working methods to facilitate their work and increase efficiency. The experts requested OHCHR to assist with the drafting of these working methods based on the broad outlines provided by them. The experts proposed a December 2014 deadline for adoption of the said working methods.

15. The experts emphasized that the aforementioned working methods should include, inter alia, the following issues:

(a) Appointment of experts and their prompt replacement in case of any vacancy, including the creation of a roster with prospective candidates;

(b) Duration of mandate and extension: appointment to be limited to three years with the possibility of extension for another term in line with the duration of other human rights mandate holders;

(c) Annual meetings: experts to meet annually for two days in Geneva during the session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. It is important to agree on the dates for this annual meeting well in advance;

(d) Formal declaration by each independent eminent expert, stating commitment to attend all annual meetings or resign after the second missed one;

(e) Planning of activities: annual programme of work to be adopted a year in advance upon conclusion of annual meeting in immediately preceding year to include detailed information on envisaged activities, expected outcomes, deadlines and experts responsible for deliverables;

[2] Report of the independent eminent experts on the implementation of the Durban Declaration and Programme of Action on their second meeting, United Nations document E/CN.4/2005/125, March 2005.

(f) Modalities for experts' engagement in their respective regions to mobilize political support for the implementation of the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference;

(g) Modalities for engagement with other United Nations organs, in particular regular interaction with the General Assembly and the Human Rights Council;

(h) Modalities for consultations and submission of reports, inputs and advice to stakeholders;

(i) Modalities for submission of written consultations on draft documents and time for comments;

(j) Modalities for identifying thematic priorities and undertaking discussions on new threats;

(k) Modalities for joint statements with other experts and high-level dignitaries.

Annex I

Agenda

I. An appraisal of the work undertaken hitherto and the recommendations made in that regard;

II. Mandate and working methods;

III. Recommendations for further initiatives and actions.

Annex II

Compilation of resolutions

A. General Assembly resolutions

1. 56/266. Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

13. *Requests* the Secretary-General, in accordance with the Durban Declaration and Programme of Action, to appoint five independent eminent experts, one from each region, from among candidates proposed by the Chairperson of the Commission on Human Rights, after consultation with the regional groups, to follow the implementation of the provisions of the Declaration and Programme of Action;

14. *Requests* the High Commissioner, in follow-up to the Conference, to cooperate with these five independent eminent experts, and to report annually to the General Assembly and the Commission on Human Rights taking into account information and views provided by States, relevant human rights treaty bodies, special procedures and other mechanisms of the Commission, international, regional and non-governmental organizations and national human rights institutions;

2. 57/195. The fight against racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

28. *Reiterates* its request to the Secretary-General, in accordance with the Durban Declaration and Programme of Action, to appoint five independent eminent experts, one from each region, from among candidates proposed by the Chairperson of the Commission on Human Rights, after consultation with the regional groups, to follow up the implementation of the provisions of the Declaration and Programme of Action;

3. 58/160. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

34. *Welcomes* the inaugural session of the group of independent eminent experts, held at Geneva from 16 to 18 September 2003, with the participation of representatives of Member States, the United Nations system and civil society, takes note of its substantive outcome, and in this context requests the United Nations High Commissioner for Human Rights to examine the possibility of the development of a racial equality index, as proposed by the group of independent eminent experts, and to report thereon to the Commission on Human Rights;

4. 59/177. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

36. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the central role to be played by the group of independent eminent experts on the implementation of the

Durban Declaration and Programme of Action in mobilizing the necessary political will required for the successful implementation of the Declaration and Programme of Action;

37. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

...

41. *Requests* the Office of the United Nations High Commissioner for Human Rights to convene the second meeting of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action before the sixty-first session of the Commission on Human Rights to produce a concrete programme of action related to their mandate, based on the core values of racial equality and dignity as elaborated in the outcome document of their first meeting, held in Geneva from 16 to 18 September 2003;

5. 60/144. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

32. *Welcomes* the second meeting of the group of independent eminent experts, held in Geneva from 21 to 23 February 2005, in particular its programme of work, notes its appeal for convening a five-year review of the implementation of the Durban Declaration and Programme of Action, and in this context urges Member States and relevant stakeholders to give due consideration to its appeal with a view to its examination at the sixty-first session;

...

36. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the central role to be played by the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action in mobilizing the necessary political will required for the successful implementation of the Declaration and Programme of Action;

37. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

6. 61/149. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

35. *Expresses* its *appreciation* for the continuing work in follow-up to the World Conference undertaken by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the group of independent eminent experts on the implementation of the Durban Declaration and

Programme of Action and the Working Group of Experts on People of African Descent;

...

37. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will required for the successful implementation of the Declaration and Programme of Action;

38. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

7. 62/220. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

36. *Expresses its appreciation* for the continuing work in follow-up to the World Conference undertaken by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Working Group of Experts on People of African Descent;

37. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

38. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

8. 63/242. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

37. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the

necessary political will for the successful implementation of the Declaration and Programme of Action;

38. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

9. 64/148. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

17. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the political will necessary for the successful implementation of the Declaration and Programme of Action;

18. *Requests* the Secretary-General to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

10. 65/240. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

63. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the political will necessary for the successful implementation of the Declaration and Programme of Action;

64. *Requests* the Secretary-General to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

11. 66/144. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

63. *Acknowledges* the central role of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and takes note of the mandate of the group of

independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the political will necessary for the successful implementation of the Declaration and Programme of Action;

64. *Requests* the Secretary-General to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

12. 67/155. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

70. *Acknowledges* the central role of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and notes the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the political will necessary for the successful implementation of the Declaration and Programme of Action;

71. *Requests* the Secretary-General to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

13. 68/151. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

IV. Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action

15. *Recalls* the appointment by the Secretary-General, pursuant to the Durban Declaration and Programme of Action and its resolution 56/266, of five independent eminent experts, on 16 June 2003, with the mandate to follow up on the implementation of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon, and in this regard requests the Secretary-General, in the context of that resolution, to revitalize and reactivate the operational activities of the group of independent eminent experts;

16. *Invites* the Human Rights Council to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures, charged with the mandate and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

B. Human Rights Council resolutions

1. 6/22. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

2. *Encourages* closer collaboration between the Intergovernmental Working Group and the Independent Eminent Experts on ways and means of achieving enhanced political will and commitment to combating all the contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance;

2. 7/33. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

9. *Decides* to invite the Group of Five Independent Eminent Experts to address the Council at its tenth session.

3. 10/31. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

Recognizing the challenges that have impeded the Group of Five Independent Eminent Experts from fully discharging its mandate in following up on the implementation of the Durban Declaration and Programme of Action,

...

1. *Takes note of* the work of the Five Independent Eminent Experts on the follow-up to the implementation of the provisions of the Durban Declaration and Programme of Action in line with their mandate;

4. 24/26. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

8. *Recalls* the appointment of the five independent eminent experts on 16 June 2003 by the Secretary-General pursuant to General Assembly resolution 56/266, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon;

9. *Requests* the Secretary-General to resuscitate the work of the independent eminent experts before the end of the sixty-eighth session of the General Assembly, consistent with their mandate, and, in this regard, to recommend further initiatives and actions;

10. *Requests*, in the above context, the independent eminent experts to convene a special meeting before 31 December 2013 to conduct an appraisal of the work undertaken hitherto and the recommendations made in that regard in order to present an update report to this end to the High Commissioner, the Secretary-General and the Human Rights Council at its twenty-fifth session;

C. Commission on Human Rights resolutions

1. Commission on Human Rights resolution 2002/68

Racism, racial discrimination, xenophobia and related intolerance

11. *Emphasizes* the importance of the appointment of the five independent eminent experts by the Secretary-General to follow the implementation of the provisions of the Durban Declaration and Programme of Action, with the following terms of reference:

(a) To receive reports from States, non-governmental organizations, and all relevant institutions within the United Nations system on the implementation of and follow-up to the Durban Declaration and Programme of Action and make recommendations to States for their national plans of action, bearing in mind the resource constraints of the developing countries;

(b) To make recommendations to the Intergovernmental Working Group on measures for effective and coordinated implementation of the Durban Declaration and Programme of Action, including regional perspectives;

(c) To make recommendations to the Secretary-General, the Office of the High Commissioner for Human Rights and the Commission on ways and means of mobilizing the resources necessary for anti-racism activities;

(d) To assist the Intergovernmental Working Group in its preparation of complementary standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects;

(e) To cooperate with the Committee on the Elimination of Racial Discrimination, the Commission and the Office of the High Commissioner in the comprehensive implementation of the Durban Declaration and Programme of Action;

12. *Decides* to keep the mandate of the independent eminent experts under constant review;

2. Commission on Human Rights resolution 2003/30

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

21. *Also welcomes* progress achieved towards the appointment of the independent eminent experts and acknowledges the level of eminence of the proposed candidates and, bearing in mind the terms of reference entrusted to these experts, as well as the need to keep their mandate under constant review, decides on the following readjustment of their terms of reference:

(a) To follow the implementation of the provisions of the Durban Declaration and Programme of Action in cooperation with the United Nations High Commissioner for Human Rights and assist the High Commissioner in preparing his annual progress report to the Commission and to the General Assembly based on information and views provided by States, relevant human rights treaty bodies, special procedures and other mechanisms of the Commission, international, regional and non-governmental organizations and national human rights institutions;

(b) Bearing in mind the recommendations of the Working Group, requests the independent eminent experts to assist the High Commissioner for Human Rights in the assessment and evaluation of the existing international standards and instruments to combat racism, racial discrimination, xenophobia and related intolerance with a view to preparing complementary standards.

Annex III

Recommendations of the Independent Eminent Experts

A. Report of the independent eminent experts on the implementation of the Durban Declaration and Programme of Action on their second meeting (E/CN.4/2005/125, 17 March 2005)

VII. Recommendations of the experts

42. The experts urge all stakeholders to ensure follow-up to the recommendations made by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and of the Working Group of Experts on People of African Descent.

43. The experts call on all stakeholders to make further efforts in awareness-raising and access to education, which are central to the struggle against discrimination, and take into account recommendations concerning education adopted by the two working groups.

44. Education not only constitutes an essential tool to promote mutual respect and tolerance between individuals and communities, but also offers an important opportunity for victims of discrimination to overcome their disempowerment. Therefore, the experts call on the Office of the High Commissioner and UNESCO to continue their cooperation and develop practical approaches to raising public awareness and using education to empower victims of racial discrimination and xenophobia.

45. In the context of their consultations with the Chairperson of the Intergovernmental Working Group on the role of education, the experts recommend the joint organization at the earliest possible date of a round table focusing on practical applications of education in countering racism and xenophobia.

46. The experts recommend that the relationship between racism, racial discrimination, xenophobia and related intolerance and the new information technologies be given due attention at the upcoming second phase of the World Summit on the Information Society in Tunis in November 2005.

47. The experts appeal to the Commission on Human Rights and to the General Assembly to adopt a plan for the five-year review of the implementation of the Durban Declaration and Programme of Action.

48. The experts call on member States to allocate adequate resources within their national budgets to counter racism, racial discrimination, xenophobia and related intolerance. The experts also call on the Secretary-General and donors to provide appropriate resources for the United Nations action in the implementation of the Durban Declaration and Programme of Action.

49. The experts call on member States to take into account the content of the Durban Declaration and Programme of Action during the review of progress achieved at the Millennium Declaration +5 Summit scheduled for 2005.

50. The experts welcome and support the Integrated Strategy to Combat Racism, Discrimination, Xenophobia and Related Intolerance adopted at the thirty-second session of the UNESCO General Conference, which has generated the establishment of the International Coalition of Cities against Racism.

51. The experts urge States that have not yet done so to ratify the International Convention on the Elimination of All Forms of Racial Discrimination before the end of 2005.

52. Recalling the recommendation adopted at their last meeting, the experts reiterate the need for a racial equality index aimed at measuring existing racial inequalities. In this regard, they call on all parties concerned to cooperate towards the realization of this objective and encourage the High Commissioner for Human Rights to pursue her efforts in addressing this issue.